

Michael Stern
Application No.: 09/130,998
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PATENT

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9 computer code for providing a perceivable stimulus, from said information, to a
10 consumer positioned proximate to one of said plurality of sites, with said stimulus being
11 associated with one of said multiple products.

1 17. The computer program product of claim 16 wherein said perceivable stimulus is
2 repeated multiple times and further including computer code for quantifying said multiple times, defining
3 statistical data.

1 18. The computer program product of claim 16 further including computer code for
2 accumulating content associated with a subgroup of said multiple products and computer code for associating said
3 content with predetermined parameters, said parameters including group definitions and date ranges.

1 19. The computer program product of claim 18 wherein said computer code for
2 transmitting further includes computer code for forming a distribution database having a plurality of records, said
3 records including a subportion of said content and corresponding to a server address, with a subpart of said
4 plurality of sites being associated with said server address.

1 20. The computer program product of claim 19 wherein said computer code for
2 transmitting further includes computer code for creating from a subset of said plurality of records, a distribution
3 file, computer code for compressing said distribution file and computer code for distributing said distribution file
4 to said site via satellite.

REMARKS

Claims 1, 2, 4-6, 10-12 and 16-18 were rejected under 35 U.S.C. §102(a) as being anticipated by Harrison, III, et al., U.S. 5,642,484. Claims 3, 7, 13-15, 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Harrison, III, et al., U.S. 5,642,484 in view of Fite et al., U.S. 5,557,721.

In response to the above rejections, Applicant has amended the independent claims 1, 10, and 16 to distinguish the prior art. Claims 8 and 15 have been canceled. As amended, the claimed invention claims methods and program code to disseminate information concerning a product to a consumer. A database of such information is maintained. The information is transmitted to a site remotely disposed relative to the database.

A salient aspect of the invention is the careful selection of sites receiving the product information. As originally claimed in claims 8 and 15, the sites are selected so as to "maximize association of said stimulus with said product;" the stimulus being a perceivable manifestation of the transmitted information.

More specifically, the site is selected at a distance based on the duration of the short term memory of the consumer. The underlying principle is that upon perceiving the

transmitted information at the receiving, the consumer will walk away from the site. If the consumer's path crosses the product, the proximity of the product to the site ensures that the transmitted information is maintained in the consumer's short term memory, thus enhancing the chances that the consumer is likely to consider the product and perhaps make a purchase. See specification at page 10, beginning at line 30.

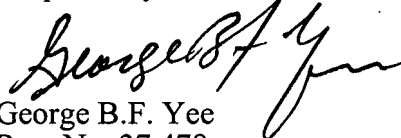
None of the cited references teach or suggest this relative placement of a product and a site receiving information corresponding to the product. In particular, none of the references teach or suggest selecting a predetermined separation distance based on the duration of a consumer's short term memory.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


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